

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Case No.

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. ROBIN SZELIGA,

Defendant.

INFORMATION

Securities Fraud-Insider Trading

15 U.S.C. §§ 78j(b) and 78ff(a), 17 C.F.R. 240.10b-5 and 10(b)5-1

The United States Attorney charges:

At all times pertinent to this Information:

COUNT 1

1. Qwest Communications International Inc. ("Qwest") was a Delaware corporation with its headquarters in Denver, Colorado. Qwest was a telecommunications company whose business included providing local and long distance voice and data services and construction of national and international telecommunications network. Qwest stock was publicly traded on the New York Stock Exchange under the symbol "Q." Qwest shareholders resided throughout the United States, including in the District of Colorado.

2. Defendant ROBIN SZELIGA was officially named Qwest's Chief Financial Officer ("CFO") on April 18, 2001. As an officer of Qwest, the defendant owed a duty of trust and loyalty to the company and its shareholders.

3. As CFO, the defendant's duties and responsibilities included, among other things, reviewing quarterly financial results for each of Qwest's business units, including their actual and projected performance; reviewing compiled financial information relating to Qwest; participating in preparation of earnings releases; participating in the preparation of internal scripts for conference calls with analysts and participating in the conference calls; participating in providing guidance regarding Qwest's anticipated performance to the investing public; and participating in presenting Qwest's overall perspective on its business. In performing these duties and responsibilities, the defendant often worked with other senior executives, including the heads of Qwest's business units and the Investor Relations group, and reported to the Chief Executive Officer.

4. During March and April 2001, the Defendant ROBIN SZELIGA was in possession of material, non-public information regarding Qwest's true and actual operating performance and financial condition obtained through, among other sources, conversations and meetings with other executives and internal Qwest documents. Part of this non-public information included the quality, nature, source and growth of Qwest's revenue, which information the defendant knew was important to the investing public.

5. More specifically, the defendant knew by at least April 24, 2001 that various Qwest business units were not going to meet revenue targets and expectations for the first and second quarters of 2001 as portrayed to the investing public. The defendant further knew that Qwest was ultimately only able to meet its publicly announced 2001 first and second quarter earnings expectations through certain revenue sources which Qwest classified as non-recurring revenue sources and which included indefeasible rights of use ("IRUs"). The defendant knew the significant extent to which these so-called non-recurring revenue sources were used as publicly undisclosed "gap-fillers" so that Qwest could "make" its revenue targets and expectations during the first and second quarters of 2001. Consequently, the investing public was unable to assess the risk of an investment in Qwest securities.

6. On or about April 30, 2001, within the District of Colorado, the defendant, ROBIN SZELIGA, directly and indirectly, by the use of means and instrumentalities of interstate commerce and of the facilities of a national securities exchange did unlawfully and willfully employ a device, scheme and artifice to defraud, and did willfully and unlawfully use and employ in connection with the purchase and sale of a security, namely the common stock of Qwest, registered on a national securities exchange a manipulative and deceptive device and contrivance as described Rule 10(b)5-1 of the Rules and Regulations of the United States Securities and Exchange Commission (Title 17, Code of

Federal Regulations, Section 240.10(b)5-1), a Rule the Commission has prescribed as necessary and appropriate in the public interest for the protection of investors.

7. Specifically, on or about April 30, 2001, Defendant ROBIN SZELIGA exercised 10,000 stock options and sold 10,000 shares of Qwest stock at \$41 per share, obtaining gross proceeds of approximately \$410,000, resulting in a net pre-tax profit of \$125,000 on the basis of what she knew to be material non-public information regarding Qwest's true, complete, and accurate operating performance and financial condition.

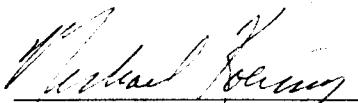
All in violation of Title 15, United States Code, Sections 78j(b) and 78ff(a), and Title 17, Code of Federal Regulations, Section 240.10b-5 and 10(b)5-1.

Dated: 6/2/05

Respectfully submitted,



William J. Leone
Acting United States Attorney



Michael Koenig
Trial Attorney, Fraud Section
U.S. Department of Justice

DATE:

DEFENDANT: Robin Szeliga

AGE:

ADDRESS:

OFFENSE: Insider Trading
15 U.S.C. §§ 78j(b) and 78ff(a), 17 C.F.R. 240.10b-5 and 10(b)5-1.

LOCATION OF OFFENSE: Colorado

PENALTY: NMT 10 years imprisonment; NMT \$1,000,000 fine, or both; NMT 3 years supervised release; \$100.00 Special Assessment

AGENTS:
Special Agent, Federal Bureau of Investigation

AUTHORIZED BY: William J. Leone
Acting U.S. Attorney
Michael Koenig
Trial Attorney, Fraud Section, U.S. Department of Justice

ESTIMATED TIME OF TRIAL:

☐ five days or less
☐ over five days
☒ other

THE GOVERNMENT

☐ will seek detention in this case
☒ will not seek detention in this case

The statutory presumption of detention is **not** applicable to this defendant.

OCDEF CASE: ☐ Yes ☒ No

United States District Court

DISTRICT OF COLORADO

UNITED STATES OF AMERICA

WAIVER OF INDICTMENT

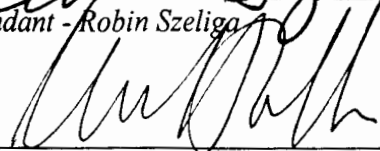
v.

ROBIN SZELIGA

CASE NUMBER:

I, Robin Szeliga, the above named defendant, who is accused of Insider Trading in violation of 15 U.S.C. 78j(b) and 78ff(a) and 17 C.F.R. 240.10(b)5 and 10(b)5-1 being advised of the nature of the charge(s), the proposed information, and of my rights, hereby waive in open court on June 2, 2005 prosecution by indictment and consent that the proceeding may be by information rather than by indictment.


Defendant - Robin Szeliga


Counsel for Defendant - Vincent J. Marella

Before _____

Judicial Officer